

petitioner's purported written objections were untimely filed, the court has nonetheless considered them in reaching the conclusion set forth below. Respondents have not made any further response.²

In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the proposed findings or recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court need not consider any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

The magistrate judge found that William's petition for writ of habeas corpus is time-barred. None of Williams objections is specific to this finding. Rather, any objections are conclusory, frivolous, or both. Consequently, the court is not considering them.

²Prior to the magistrate judge issuing his proposed findings, conclusions, and recommendation, various assistant attorneys to the Texas Attorney General filed a response on behalf of Doug Dretke, Director, Texas Department of Criminal Justice, Correctional Institutions Division ("Dretke") as a respondent herein. Because typically Dretke is the respondent in habeas petitions brought in Texas pursuant to 28 U.S.C. § 2254, the court construes the response having been brought on behalf Dretke as a mistake and further construes such response to have been filed on behalf of the proper respondent, namely the Texas Attorney General.

Therefore,

The court accepts the findings, conclusions and recommendation of the magistrate judge and ORDERS that the petition in this action be, and is hereby, dismissed with prejudice.

The court further ORDERS that any and all pending motions in this action, including Williams's motion for review by a three judge panel, motion for an evidentiary hearing, motion for summary judgment, motion for appointment of counsel, and motion for default judgment be, and are hereby, denied as moot.

SIGNED June 13, 2006.



JOHN MCBRYDE
United States District Judge